

**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**

**or Fax (703) 746-4000**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where applicable. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 01/15/2004

HOWREY SIMON ARNOLD & WHITE LLP  
 BOX 34  
 301 Ravenswood Avenue  
 Menlo Park, CA 94025

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Robin L. Clow

(Depositor's name)

*R Clow*

(Signature)

April 14, 2004

(Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/058,231      | 10/19/2001  | Jeffrey A. Colborn   | 04813.0026.NPUS00   | 2247             |

TITLE OF INVENTION: METHODS OF USING FUEL CELL SYSTEM CONFIGURED TO PROVIDE POWER TO ONE OR MORE LOADS

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|-------------|--------------|-----------|-----------------|------------------|----------|
|-------------|--------------|-----------|-----------------|------------------|----------|

|                |     |       |       |       |            |
|----------------|-----|-------|-------|-------|------------|
| nonprovisional | YES | \$665 | \$300 | \$965 | 04/15/2004 |
|----------------|-----|-------|-------|-------|------------|

| EXAMINER      | ART UNIT | CLASS-SUBCLASS |
|---------------|----------|----------------|
| BELL, BRUCE F | 1746     | 429-023000     |

|  |   |
|--|---|
| 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). | 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. |
|  | Howrey Simon Arnold & White, LLP<br>1 _____<br>2 _____<br>3 _____   |

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

**(A) NAME OF ASSIGNEE**

**(B) RESIDENCE: (CITY and STATE OR COUNTRY)**

Metallic Power, Inc.

Carlsbad, California

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

**4a. The following fee(s) are enclosed:**

Issue Fee

**4b. Payment of Fee(s):**

A check in the amount of the fee(s) is enclosed.

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

Advance Order - # of Copies 10

The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-3038 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

|  |  |
|--|--|
| (Authorized Signature) <i>John Clow</i> (Date) 4-14-04 | 04/20/2004 HLE444 00000172 083038 10058231 |
|--|--|

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

04/20/2004 HLE444 00000172 083038 10058231

01 FC:2501 665.00 DA  
 02 FC:1504 300.00 DA  
 03 FC:8001 30.00 DA

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



April 9, 2004

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Allowed Utility Patent Application  
Appl. No. 10/058,231 Filed: October 19, 2001  
For: **METHODS OF USING FUEL CELL SYSTEM CONFIGURED TO  
PROVIDE POWER TO ONE OR MORE LOADS**  
Inventor: Jeffrey a. Colborn, et al.  
Our Ref: 04813.0026.NPUS00

Sir:

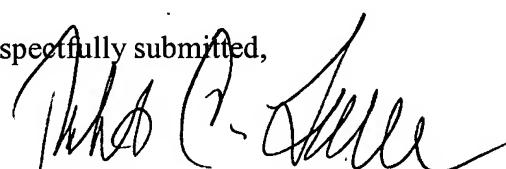
In response to the **Notice of Allowance and Issue Fee Due** dated **January 15, 2004**, the following documents are attached for appropriate action by the U.S. Patent and Trademark Office:

1. Issue Fee Transmittal (Form PTOL-85) in duplicate; and
2. Return Postcard/Receipt.

It is respectfully requested that the attached receipt be stamped with the date of filing of these documents, so that it may be returned to our office.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee or fee deficiency, or credit any overpayment, to our Deposit Account No. **08-3038** referencing docket number **04813.0026.NPUS00**. A duplicate copy of this letter is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
Robert C. Laurenson, Reg. No. 34,206

Enclosures